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12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 GOOGLE LLC,

16 Plaintiff,

17 vs.

18 SONOS, INC.,

19 Defendant.

CASE NO. 3:20-cv-06754-WHA

Related to CASE NO. 3:21-cv-07559-WHA

**DECLARATION OF JOCELYN MA IN
SUPPORT OF SONOS, INC.'S
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED (DKT. NO. 421)**

I, Jocelyn Ma, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC (“Google”) in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. I make this declaration in support of Sonos, Inc.’s (“Sonos”) Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed (“Administrative Motion”) (Dkt. No. 421) filed in connection with Google LLC’s (“Google”) and Sonos’s Supplemental Joint Discovery Letter Brief (“Supplemental Joint Discovery Letter Brief”) (Dkt. No. 420). If called as a witness, I could and would testify competently to the information contained herein.

3. Google seeks an order sealing the materials as listed below:

Document	Portions Sonos Sought to Be Filed Under Seal	Portions Google Seeks to Be Filed Under Seal	Designating Party
Supplemental Joint Discovery Letter Brief	Entire Document	Portions outlined in red boxes	Google
Exhibit 1 to Supplemental Joint Discovery Letter Brief (“Exhibit 1”)	Entire Document	Portions outlined in red boxes	Google

4. I understand that the Court analyzes sealing requests in connection with discovery motions pursuant to a “good cause” standard. *See Intel Corp. v. Tela Innovations, Inc.*, No. 3:18-CV-02848-WHO, 2018 WL 4501146, at *3 (N.D. Cal. Sept. 18, 2018). I also understand that good cause to seal is shown when a party seeks to seal materials that “contain[] confidential information about the operation of [the party’s] products and that public disclosure could harm [the party] by disclosing confidential technical information.” *Digital Reg. of Texas, LLC v. Adobe Sys., Inc.*, No. C 12–1971 CW, 2014 WL 6986068, at *1 (N.D. Cal. Dec. 10, 2014). I further understand that courts have found it appropriate to seal documents that contain “business information that might harm a litigant’s competitive standing.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 589-99 (1978).

1 5. The portions of the Supplemental Joint Discovery Letter Brief outlined in red boxes
2 contain references to Google’s confidential business information and trade secrets, including details
3 regarding source code, architecture, and technical operation of Google’s products. The specifics of
4 how these functionalities operate is confidential information that Google does not share publicly.
5 Thus, I understand that the public disclosure of such information could lead to competitive harm to
6 Google, as competitors could use these details regarding the architecture and functionality of Google’s
7 products to gain a competitive advantage in the marketplace with respect to their competing products.
8 Google has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS’
9 EYES ONLY and/or HIGHLY CONFIDENTIAL—SOURCE CODE under the protective order (Dkt.
10 No. 92). Although Sonos’s Administrative Motion sought to seal the entirety of the Supplemental
11 Joint Discovery Letter, Google only seeks to file under seal the portions outlined in red boxes. A less
12 restrictive alternative than sealing would not be sufficient because the information sought to be sealed
13 is Google’s confidential business information and trade secrets but has been utilized by the parties in
14 support of their supplemental Joint Discovery Letter.

15 6. The portions of Exhibit 1 outlined in red boxes contain references to and testimony
16 regarding Google’s confidential business information and trade secrets, including details regarding
17 source code, architecture, and technical operation of Google’s products. The specifics of how these
18 functionalities operate is confidential information that Google does not share publicly. Thus, I
19 understand that the public disclosure of such information could lead to competitive harm to Google, as
20 competitors could use these details regarding the architecture and functionality of Google’s products
21 to gain a competitive advantage in the marketplace with respect to their competing products. Google
22 has therefore designated this information as HIGHLY CONFIDENTIAL—ATTORNEYS’ EYES
23 ONLY and/or HIGHLY CONFIDENTIAL—SOURCE CODE under the protective order (Dkt. No.
24 92). A less restrictive alternative than sealing would not be sufficient because the information sought
25 to be sealed is Google’s confidential business information and trade secrets but has been utilized by
26 the parties in support of their supplemental Joint Discovery Letter.

1 I declare under penalty of perjury under the laws of the United States of America that to the
2 best of my knowledge the foregoing is true and correct. Executed on December 16, 2022, in San
3 Francisco, California.

4 DATED: December 16, 2022

5 By: /s/ Jocelyn Ma
6 Jocelyn Ma
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